

REMARKS

Claims 1-26 are pending in the present application. Claims 1-12 stand rejected and claims 13-26 were previously withdrawn from consideration as drawn to a non-elected invention. By virtue of this response, claims 13-26 have been cancelled, claims 1, 2, and 6 have been amended and claims 27 and 28 have been added. Accordingly, claims 1-12 and 27-28 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

Specification

The title of the invention is allegedly not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. Applicants have amended the title herein to recite “DATA STORAGE CARTRIDGE HAVING A REDUCED THICKNESS SEGMENT.” Applicants submit that the amended title is descriptive and indicative of the invention claimed.

Claim Rejections – 35 USC § 112, Second Paragraph

Claims 1-5 stand rejected under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner states the phrase “reduced thickness” is not clear to which part of the cartridge the reduced thickness is referred. Claims 1 and 2 have been amended herein to recite that the reduced thickness segment is less than a thickness of the front side of the housing. Accordingly, Applicants submit that claims 1-5 are now clear and definite.

Claim Rejections – 35 USC § 102(b)

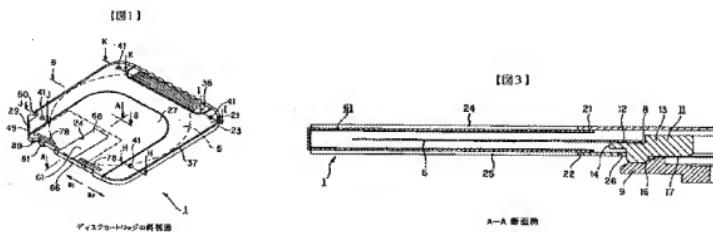
Claims 1-4, 6-8, 10, and 11, stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Meguro (JP 2001076456). The Examiner states with regard to independent claims 1, 6, and 10, *inter alia*, that Meguro discloses “wherein the front side of the housing contains a first

segment of reduced thickness adjacent to the first media access aperture 24 (see figure 3, top part of the cartridge).” (Office Action, page 3, section 7).

Claims 1-9

Applicants have amended claim 1 (and similarly claim 6) for clarity herein to recite
"wherein the first segment of reduced thickness is adjacent to the first media access aperture and has a length along the front side of the housing, perpendicular to the thickness of the front side of the housing, which is less than or equal to a width of the first media access aperture parallel to the front side of the housing." The amendment is fully supported the applications as filed, see, e.g., Figs. 4A, 4B, 5A-5C, 18A, 18B, 19A-19C, and paragraph 68. No new matter has been added.

Applicants submit that the housing of Meguro fails to disclose or suggest the features of claim 1. For instance, Figure 3 of Meguro illustrates a cross-sectional view of cartridge 1 along line A-A of Figure 1 (see Figures 1 and 3 reproduced below). The front side of the housing is the left portion of Figure 3; however, there is no indication that this portion of the housing includes a segment of reduced thickness as recited. For example, there is no structure that meets the features of a reduced thickness segment having a width along the front face that is equal to or less than the width of the media access aperture 24 formed therein. Accordingly, for at least these reasons, the rejection must be withdrawn and claims 1-5 allowed.¹



¹ If the Examiner maintains the rejection, Applicants request the Examiner more clearly indicate which portion of Figure 3 is being referenced.

Claim 6 has been amended similarly to claim 1 as indicated herein and is allowable over Meguro for at least similar reasons as claim 1. Specifically, Meguro fails to disclose or suggest a “region of reduced thickness” as recited by claim 6. Accordingly, the rejection to claims 6-10 must be withdrawn and the claims allowed.

Claim 10

Applicants respectfully traverse the rejection to claim 10. Claim 10 stands rejected for similar reasons as claims 1 and 5 as indicated on page 3 of the Office Action, however, the Examiner has failed to allege that Meguro discloses or suggests all of the features of claim 10. For instance, the Examiner has not alleged that Meguro discloses or suggests “wherein said housing includes an unobstructed access path to the data storage medium from the access side, said unobstructed access path passing through the top plane,” as recited by original claim 10. Accordingly, if the Examiner maintains the rejection, Applicants request the next Office Action be designated as non-final.

In any event, Applicants submit that Meguro fails to disclose the recited features. For instance, even if the housing includes a first segment of reduced thickness as alleged by the Examiner, there is no indication that the structure of the housing or data storage medium contained therein provide the recited “unobstructed access path” from the access side and passing through the top plane. Accordingly, for at least these reasons, Applicants submit that the rejection to claim 10 and claims depending therefrom must be withdrawn.

Accordingly, for at least these reasons, Meguro fails to disclose or reasonably suggest the recited features of any one of independent claims 1, 6, or 10. Accordingly, the rejection to claims 1, 6, and 10 (and claims depending therefrom) should be withdrawn.

Claim Rejections – 35 USC § 103(a)

Claims 5, 9, and 12, stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Meguro. Claims 5, 9, and 12 depend from independent claims 1, 6, and 10

respectively and are allowable over Meguro for at least the same reasons as claims 1, 6, and 10 discussed above. Accordingly, Applicants request the rejection be withdrawn and the claims allowed.

New Claims

Applicants have added new claims 27 and 28, which depend from claim 10. Claims 27 and 28 are allowable over the applied references for at least the same reasons as claim 10.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 495812005000. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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